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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,134	01/29/1999	FUMIAKI TAKAHASHI	B208-685 DIV	6964

26272 7590 01/08/2002

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EXAMINER

LUU, LE HIEN

ART UNIT

PAPER NUMBER

2152

DATE MAILED: 01/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 11/08/2001

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 33 and 47-67 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 33 and 47-67 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

1. Claims 33 and 47-67 are presented for examination.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1(C) of this title before the invention thereof by the applicant for patent.

3. Claims 33 and 47-67 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Baker et al (Baker)** patent no. **5,428,730**.

4. As to claim 33, Baker teaches the invention as claimed, including a control device for controlling a device via a network, comprising:

a communication interface adapted to received a description file including description data for a control panel of the device (Abstract, col. 7, line 50 - col. 8 line 12);
and

a controller adapted to automatically activate the description file, if the description file is received (col. 7, line 50 - col. 8 line 12).

5. As to claims 47, 49-50, Baker teaches the control panel includes graphical elements for controlling functions of the devices; the controller display an icon representing the

device on a display device after the description file is automatically activated; the controller displays the control panel on the display device after the icon is selected by a user (Figure 2, begins from col. 4 line 6; and col. 6 lines 5-26).

6. As to claim 48, Baker teaches the communication interface receives the description file, after the control device detects that the device is connected to the network (col. 7, line 50 - col. 8 line 12).

7. As to claim 51, Baker teaches the control device transmits a message corresponding to a graphical element of the control panel to the device when the graphical element is operated by a user (col. 6 lines 5-25).

8. As to claims 52 , Baker teaches the device is represented as an object by predetermined objected oriented technique (col. 12 lines 23-25).

9. As to claims 53-54, Baker teaches the device is a CD player, a digital video recorder, a digital camera, a digital television, a facsimile, a copying machine, or a printer (figure 1, figure 3).

10. As to claim 55, Baker teaches the control device is a personal computer, a word processor or a workstation (col. 2 lines 48-66).

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11. Claims 56-67 have similar limitations as claims 33 and 47-55; therefore, they are rejected under the same rationale.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached at (703) 305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

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Art Unit: 2152

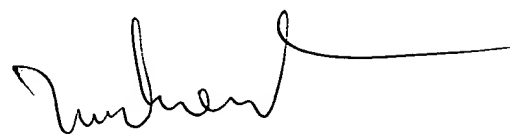
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(703) 746-7239, (for **formal communications**; please mark
"EXPEDITED PROCEDURE").

Or:

(703) 746-7240 (for **informal or draft communications**, please
label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).



LE HIEN LUU
PRIMARY EXAMINER

January 03, 2002